

REMARKS

INTRODUCTION:

A Request for Continued Examination has been filed concurrently herewith along with this Preliminary Amendment. In accordance with the foregoing, claims 29, 32-34, 37 and 40 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 12, 13 and 29-42 are pending and under consideration.

PREVIOUS OFFICE ACTION REJECTION UNDER 35 U.S.C. §103:

Claims 29-42 were previously rejected under 35 U.S.C. § 103(a) as unpatentable over Barts et al., U.S. Patent Application Publication No. 2002/0082893 (hereinafter "Barts") in view of Kirmuss, U.S. Patent Application Publication No. 2003/0080878 (hereinafter "Kirmuss"). This previous rejection is respectfully traversed.

This rejection is respectfully traversed because neither Barts, Kirmuss, or any combination thereof explicitly or implicitly teaches or suggests the claimed:

capturing function for capturing assembly states of vehicles near an assembly line in which the vehicles are manufactured, an authentication function for authenticating access from a user terminal by a key assigned to a purchaser of a vehicle, and an image providing function for providing the user terminal with captured image data representing the vehicle which is under manufacturing, if the authentication by said authentication function succeeds, wherein the captured image data allow the user to check on the progress of manufacturing the vehicle.

As the examiner correctly noted, Barts discloses "improved tools for operating a network, such as a tracking system by which managers in many parts of the network have access to the status of individual parts of network facilities" (see Barts, Abstract). Thus, Barts discloses a system in which **only a manager** can check the **current status** of parts in a manufacturing process. Thus, Barts does not teach or suggest any of the claimed features noted above as claimed in amended independent claims 29, 32-34, 37 and 40.

Kirmuss, as the examiner correctly noted, discloses "Mobile Scene Photography; to aid the scene investigators of accidents, hazardous materials spills, and the like . . . Recorded live video stills may be played back, and authenticated video stills may then be reproduced for distribution" (see Kirmuss, paragraphs [0177]-[0178]). Thus, Kirmuss discloses a mobile photography system wherein a still picture of a single event, "such as an accident, hazardous material spill, or the like" can be manually retrieved and authenticated from a video. Kirmuss

further discloses a further use "in capturing identifying information regarding vehicles involved in traffic violations" (Kirmuss, paragraph [180]). Thus, neither Kirmuss's vehicle identification system, nor its "accident or hazardous waste" photography systems would teach or suggest the features of a "capturing function for capturing assembly states of vehicles near an assembly line in which the vehicles are manufactured, an authentication function for authenticating access from a user terminal by a key assigned to a purchaser of a vehicle, and an image providing function for providing the user terminal with captured image data representing the vehicle which is under manufacturing, if the authentication by said authentication function succeeds, wherein the captured image data allow the user to check on the progress of manufacturing the vehicle" as claimed in independent claims 29, 32-34, 37 and 40.

Thus neither Kirmuss or Barts, or any combination thereof would disclose the features of a "capturing function for capturing assembly states of vehicles near an assembly line in which the vehicles are manufactured, an authentication function for authenticating access from a user terminal by a key assigned to a purchaser of a vehicle, and an image providing function for providing the user terminal with ~~an~~ captured image data representing the vehicle which is under manufacturing, if the authentication by said authentication function succeeds, wherein the captured image data allow the user to check on the progress of manufacturing the vehicle" of independent claims 29, 32-34, 37 and 40.

Therefore, because Barts, referred to alone, or in combination with Kirmuss, would not teach or suggest the features of the independent claims as discussed above, the applicant respectfully requests reconsideration of claims 29, 32-34, 37 and 40.

Furthermore, because neither Barts nor Kirmuss explicitly or implicitly teach or suggest the above-identified portions of the independent claims 29, 32-34, 37 and 40, the applicant respectfully requests reconsideration of the dependent claims 30, 31, 35, 36, 38, 39, 41 and 42, which contain all the features of the above mentioned independent claims, plus additional features which are not taught or suggested by the prior art.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding previous rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

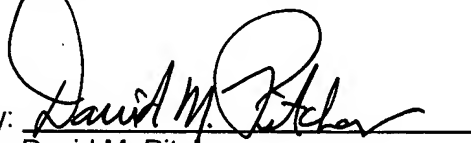
Respectfully submitted,

STAAS & HALSEY LLP

Date:

June 6, 2005

By:


David M. Pitcher
Registration No. 25,908

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501